

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

THOMAS JOSEPH RUSSO,

Defendant.

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No. 1:18-MJ-411



AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Bikeramjit Gill, being duly sworn, depose and state as follows:

INTRODUCTION

1. I have been an Alexandria Police Department (“APD”) Detective since September 2006. Since January 2014, I have served in the Violent Crimes Section, investigating various violent criminal offenses, including homicide. I am also currently a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) Northern Virginia Violent Crimes Task Force. In this capacity, I investigate individuals involved in the illegal possession and transfer of firearms, violent crimes involving firearms, and narcotics trafficking.

2. I submit this affidavit in support of a complaint and arrest warrant charging that, on or about August 14, 2018, in Alexandria, Virginia, within the Eastern District of Virginia, THOMAS JOSEPH RUSSO, a person who has been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting commerce, a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

3. The facts and information contained in this affidavit are based upon my personal knowledge, as well as information and evidence obtained from other law enforcement officials and

witnesses. This affidavit contains information necessary to support probable cause for this application. I have not included each and every fact and matter observed by me or known to the government.

#### PROBABLE CAUSE

4. On or about September 11, 2014, THOMAS JOSEPH RUSSO was convicted in the Circuit Court for the City of Alexandria of malicious wounding, in violation of Va. Code § 18.2-51, an offense punishable by imprisonment for a term exceeding one year. RUSSO completed his term of incarceration in or around July 2018.

5. On or about August 15, 2018, a Probation Officer for the Alexandria Circuit Court (“APO”) contacted law enforcement regarding RUSSO’s criminal activities. According to the APO, during RUSSO’s period of incarceration, RUSSO had threatened an Assistant Commonwealth’s Attorney (“ACA”) in connection with RUSSO’s 2014 malicious wounding conviction. Following his release from prison, RUSSO went to the Commonwealth Attorney’s office in an attempt to speak to the ACA.

6. The APO further advised law enforcement that, as a condition of RUSSO’s post-release supervision, the APO had placed a Global Positioning System (GPS) monitoring device on RUSSO’s person. According to the APO, on or about August 14, 2018, RUSSO’s GPS monitoring device was located in the vicinity of SpecDive Tactical (“SpecDive”)—a federal firearms licensee in Alexandria, Virginia, within the Eastern District of Virginia.

7. On or about August 20, 2018, ATF investigators interviewed SpecDive’s manager (“W-1”) regarding RUSSO. W-1 advised law enforcement that, on August 14, 2018, an individual

identified as RUSSO<sup>1</sup> entered SpecDive, discussed with W-1 potential firearms purchases, and handled multiple firearms. Specifically, RUSSO asked W-1 to provide a price quote for a custom-designed AR-15 style pistol. RUSSO and W-1 thereafter discussed the individual parts RUSSO would need to purchase in order to build the firearm, and W-1 provided a total price quote of approximately \$4,100. According to W-1, as RUSSO and W-1 discussed the design of the custom firearm, RUSSO physically handled W-1's personally-owned AR-15-style pistol.

8. As W-1 further advised law enforcement, RUSSO also inquired about purchasing a Colt firearm. According to W-1, RUSSO handled a Colt Python .357 revolver, raising the firearm to his eye line to inspect the gun sight.

9. On or about August 20, 2018, ATF investigators also interviewed a SpecDive sales associate/gunsmith ("W-2") regarding RUSSO. W-2 informed law enforcement that, on August 14, 2018, W-2 observed an individual identified as RUSSO<sup>2</sup> inside SpecDrive. W-2 reported seeing RUSSO possess an AR-15-style firearm and a Colt Python .357 revolver while inside the store.

10. On August 21, 2018, the APD arrested RUSSO for violating the conditions of his release. On the same date, an ATF investigator contacted RUSSO at the Alexandria Adult Detention Center. RUSSO waived his *Miranda* rights, and agreed to speak to the investigator. During the subsequent interview, RUSSO admitted that, while inside SpecDive, he had held an AR-15-style firearm and a Colt Python revolver.

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<sup>1</sup> During an interview with ATF investigators, W-1 identified this individual in a known photograph of THOMAS JOSEPH RUSSO.

<sup>2</sup> During an interview with ATF investigators, W-2 identified this individual in a known photograph of THOMAS JOSEPH RUSSO.

11. Based upon my training and experience, a Colt Python .357 revolver constitutes a firearm pursuant to Title 18, United States Code, Section 921(a)(3). Colt's Manufacturing Company, which manufactures this firearm, does not manufacture them in Virginia. Consequently, any Colt Python .357 revolver found in Virginia has traveled in interstate commerce from its point of manufacture into Virginia.

#### CONCLUSION

12. Based upon the foregoing, I submit there is probable cause to conclude that, on or about August 14, 2018, in Alexandria, Virginia, within the Eastern District of Virginia, THOMAS JOSEPH RUSSO, a person who has been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting commerce, a firearm, in violation of Title 18, United States Code, Section 922(g)(1).



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Bikeramjit Gill, Task Force Officer  
Bureau of Alcohol, Tobacco, Firearms and  
Explosives

Subscribed and sworn to before me on August 31, 2018:

  
\_\_\_\_\_/s/\_\_\_\_\_  
John F. Anderson  
The Honorable John F. Anderson  
United States Magistrate Judge